

Notice of Allowability

Application No.

10/053,351

Applicant(s)

GOODMAN, DAVID D.

Examiner

Ramnandan Singh

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Apr. 26, 2006.
2. ☒ The allowed claim(s) is/are 77,80,81 and 83-101.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date <u>Apr. 26, 2006</u> | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

1. This action is in response to applicant's response filed on Apr. 26, 2006. **Claims 77, 80-81, 83-101** are pending in the present application.

2. EXAMINER'S AMENDMENT/COMMENT

Applicant has agreed to the following amendment during his telephonic interview with the Examiner held on Jun. 19, 2006:

Claim 91, line # 12, delete "powering the circuitry at the second point using the power transmitted across the at least two wires in the path;"

Claim 91, line # 19, after "data;"---- powering the circuitry at the second point using the power transmitted across the at least two wires in the path, wherein the power is used by circuitry that performs said recovering and creating;-----has been inserted.

The Interview summary is enclosed.

REASONS FOR ALLOWANCE

3. The following is an examiner's statement of reasons for allowance:

Independent claim 77 recites a method of communicating information across a plurality of paths, wherein each path of said plurality of paths begins near a first point and terminates near a second point, and limitations of the following; "recovering one of

said plurality of sub-streams from each one of said plurality of downstream signals; and creating a first recreated stream of digital data from the plurality of sub-streams recovered from said plurality of downstream signals, wherein the first recreated stream of digital data is substantially the same as said first stream of digital data and the first stream of digital data and the first recreated stream of digital data conform to the Ethernet protocol, wherein power is transmitted as an electrical current over at least one of the wires in said plurality of paths and the power is used by circuitry that performs said recovering and creating". The prior art of record does not teach these limitations.

Independent claim 91 recites a method for communicating information between a first point and a second point, and limitations for the following: "recovering one of the plurality of streams of digital data from a single downstream signal; creating a first recreated stream of digital data from the recovered one of the plurality of digital data, wherein the first recreated stream of digital data includes a field of bits identifying an electronic device that will receive at least part of said first recreated stream of digital data; and powering the circuitry at the second point using the power transmitted across the at least two wires in the path, wherein the power is used by circuitry that performs said recovering and creating". The prior art of record does not teach these limitations.

New search updates revealed no other prior art which teaches the limitations in the context of the claims. Therefore, claims 77, 80-81 and 83-101 are indicated allowable.

4. The claims have been re-numbered as follows:

CLAIMS NUMBER (ORIGINAL)	CLAIMS NUMBER (FINAL)
77	1
80-81	2-3
83	4
87	5
84	6
88	7
85	8
86	9
89	10
92-96	11-15
99	16
97	17
100	18
90	19
101	20
91	21
98	22

Claim no. 77 along with figure number 2 will be published in the Official Gazette.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

5 Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ramnandan Singh whose telephone number is (571) 272-7529. The examiner can normally be reached on M-TH (8:00-5:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (571) 272-7547. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Ramnandan Singh
Examiner
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